

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P-IEE-104-WO	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/051287	International filing date (day/month/year) 29.06.2004	Priority date (day/month/year) 15.07.2003
International Patent Classification (IPC) or national classification and IPC B60R22/48		
Applicant IEE INTERNATIONAL ELECTRONICS & ENGINEERING S.A.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/051287

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-6 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-7 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
12.08.2005 with
- nos.* 1 _____ received by this Authority on telefax
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/051287

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3, 5, 6	YES
	Claims	1, 2, 4, 7	NO
Inventive step (IS)	Claims	5, 6	YES
	Claims	1-4, 7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: US 2003/014166 A1 (FLEIT MARTIN ET AL)
16 January 2003 (2003-01-16)
- D2: US-B1-6 239 695 (OKADA SHOJI ET AL)
29 May 2001 (2001-05-29)
- D3: US-A-5 845 000 (JOHNSON WENDELL C ET AL)
1 December 1998 (1998-12-01).

The present application is not novel over D1.

In addition to the devices correctly disclosed in the preamble, the device known from D1 comprises a camera (D1, paragraphs 40ff.; optical imaging system) which captures images of the vehicle interior and is consequently suitable for capturing images of the situation inside the vehicle and sending them to a remote control centre (image evaluation unit) which evaluates the images. Thus, the subject matter of claim 1 is disclosed in its entirety in the prior art according to D1 and, in consequence, lacks novelty.

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International application No.

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

The subject matter of claim 2, likewise, is disclosed by D1 since the control centre (image evaluation unit) evaluates the images and, in consequence, the profiles of passengers can be seen on the image transmitted and can be evaluated.

The subject matter of claim 3 is obvious from D3 and the use of a camera of this type is also rendered obvious by said document.

The subject matter of claims 4 and 7, likewise, is known from D1.

Claim 5 is not rendered obvious by any of the available prior art.

Claim 6 is dependent on claim 5 and is therefore novel and inventive.

Industrial applicability can clearly be acknowledged.